



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Sixteenth day of July Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.11965 of 2018

THIRUMOORTHY

... PETITIONER / 4th ACCUSED

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
JAIHINDPURAM POLICE STATION,
MADURAI.

Crime No.1239 of 2017

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.A.PURANTHARDHAS Advocate

For Respondent : Mr.A.P.G.OHM CHAIRMA PRABHU
Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

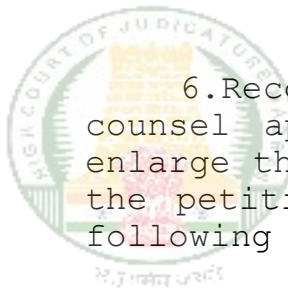
The petitioner is in judicial custody since 08.03.2018 for the offences punishable under Sections 341, 302, 506(ii) I.P.C r/w Section 34 of I.P.C in Crime No.1239 of 2017 on the file of the respondent police. He seeks bail.

2.Heard the learned Government Advocate (Crl.Side) for the respondent.

3.The petitioner is facing trial in S.C.No.565 of 2017 on the file of the learned VI Additional District and Sessions Judge, Madurai. The petitioner had absconded. Therefore, NBW came to be issued and he was secured pursuant to the arrest.

4.The learned counsel appearing for the petitioner undertakes that the petitioner shall appear before the Court below regularly on all future hearing dates without fail.

5.If the petitioner fails to appear before the Court below for future hearings, he is entitled to file appropriate petition under Section 317 Cr.P.C. Even if on one hearing, he is absent and no application is filed for condoning his absence, this order granting bail shall stand cancelled.



6. Recording the above said undertaking given by the learned counsel appearing for the petitioner, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions;

(i) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, each for a like sum to the satisfaction of the learned VI Additional District and Sessions Judge, Madurai.

(ii) The petitioner shall not abscond.

(iii) on breach of any of the aforesaid conditions, the Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560]**.

sd/-
16/07/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE VI ADDITIONAL DISTRICT AND SESSIONS JUDGE, MADURAI.

2. THE INSPECTOR OF POLICE
JAIHINDPURAM POLICE STATION, MADURAI.

3. THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.A.PURANTHARDHAS Advocate SR.No.13166

ORDER
IN
CRL OP(MD) No.11965 of 2018
Date :16/07/2018

TK/MMS/GSR/17.07.2018/2P-6C